

# STATE-WIDE BILL NOT CONSIDERED

(Continued From First Page)

It is that a number of other members feel that they ought to get in on the division.

Recently a substitute for the whole system has been proposed by Senator Lassiter, and it found immediate favor with the House Committee on Finance. It is that several times described, involving a deposit with the Auditor of Public Accounts of the proceeds of the State to secure deposits. For two hours yesterday the House wrangled over the Senate bill, the committee substitute, sundry amendments, the Cox substitute, and over adding numerous banks to the list. The bill, as amended, was finally passed, and will be returned to the Senate, which, unless the number is noted, will hardly be able to recognize its child. It will probably kill its offspring, or take off most of its joints.

Next to the depositaries bill, the House devoted most of its time to the Owen bill regulating the inspection of stock food, which had been most positively and strenuously amended by the House committee. These amendments were fought vigorously by Mr. Lee, but the member from Franklin lost his fight, and the amendments were adopted and the bill passed with the changes as proposed. The adoption by the Senate of the amendments is said to be doubtful.

## SENATE

At 10:30 the Senate convened. During the morning hour, after the adoption of the rule that third readings should be taken up, Senator Strode said that he desired to make his State-wide prohibition bill a special and continuing order for 12:30 Friday. He avowed that it is his purpose to renew that motion, until he should secure a sufficient majority of the Senate on the merits of the bill. All local measures would have been passed by Friday, he thought, and if such were the case, nothing would exist to prevent consideration of his bill, unless it might be the plain purpose of the Senate to avoid going on record as to the measure.

"The Senator has not the right to make that last statement," said Senator Echols, with indignant emphasis. "His remarks are out of order here in this hall, and I call the attention of the president to that fact. Senator Strode has no right to insinuate that the Senate is trying to stifle this bill. The other Senators know their views and their duties as well as Senator Strode. Why should he take us to court, then, and say that we are prompted to ignore his motives?"

Mr. Strode's disclaimer. In reply, Senator Strode disclaimed any intent to impugn the motives of the members. He said that he only wanted to emphasize the importance of the bill and the necessity of taking a vote on it. He would be willing to limit the debate to ten minutes on each side, and would be content with a single roll call. Other bills had been taken up out of their order which, in his estimation, did not have such a popular demand behind them as this bill. "The Senate will be declining to face the issue," he said.

Taking up the assertion of Senator Early, who declared during a previous debate, "I had rather follow the immortal Jefferson than the Anti-Saloon League," Senator Strode entered into a dissertation on the right of petition to the legislature on so many occasions. He had hardly started when a parliamentary inquiry and a resulting ruling by the chair swept him off the floor.

During the course of Senator Strode's remarks there were several attempts to interrupt him, but they were of a parliamentary procedure. At various intervals Senators Sale, Halsey and Walker discussed his right to the floor under the parliamentary status, but not until Senator Sale had made the point that the rules of the Senate limited the maker of a motion to five minutes was there any closure effected. The president ruled that under that principle Senator Strode had exhausted his time.

With ringing earnestness, Senator Halsey said: "I am not in favor of this motion of Senator Strode. There are other measures on our calendar just as important, if not more important. Many days before this bill was introduced I brought up a joint resolution providing for the ratification of this General Assembly to take proposed amendments to the Constitution. There is no matter before us of greater importance than that, unless it be the general appropriation bill. I would like to have a special order made of it, but I bow to the rules which prevail in this body. It is asking too much of me to ask it to detract important measures for this State-wide bill."

Killed by Big Majority. "I deny the assertion of Senator Strode that a majority, or anything like a majority, of the people of this Commonwealth favor this measure. All I am asking is that the majority in position: I shall vote against the bill when it comes up."

On a recorded vote, the motion to take the bill up out of its regular order was lost by a vote of 25 to 8.

Proceeding to the final consideration of bills, the following were passed by the Senate: To protect villages

Brings New Life to the Body in all  
**FEVER CASES**  
A Tonic that Builds up the Entire System

**DUCRO'S**  
ALIMENTARY  
**ELIXIR**

ALL DRUGGISTS FOR  
E. FOUGERA & CO. NEW YORK.

Quickly Restores the Appetite to  
**WEAKENED CONSTITUTIONS**  
Giving Renewed Strength and Vitality

and unincorporated communities against the running at large of animals; to make certain payments out of the Federal direct tax fund in the custody of the State; to permit Rockingham county to construct as State money aid roads the Broadway and Brock's Gap public highway; to amend the law as to the working of roads in Rockingham county; to provide the time in which the writ tax must be paid; to permit the General Alumni Association of the University of Virginia to do certain acts; to amend the law relative to surety, guaranty and fidelity companies; to amend the law as to the location of cemeteries to fix the compensation of members of the electoral board; to amend the law as to the pay of clerks of district school boards; to allow the rosters of camps of Confederate veterans to be recorded in the clerk's office; to amend the law in regard to the employment of convicts; to provide for reports by corporations in certain cases; to allow city schools to accept devices and bequests; to establish a Law and Chancery Court for Roanoke; to cause electric railways to give suitable warning when crossing roads; to prescribe rules for the government of juries; to amend the law as to the bond of the City Treasurer of Norfolk; to provide jurors in certain cases; to amend the law in relation to exemption from prosecution in gaming cases; to provide for suits against contractors when Councilmen are interested in the contracts; to amend the charter of Roanoke; to empower Warwick county to build a certain bridge; to authorize the construction of certain roads in Albemarle county; to repeal the act incorporating the town of Tangier; to prescribe the minimum number of members of City Councils; the Lenoir bill, putting a license tax on fishing, crabbing and clamming; the Elam bill providing for proper assessment of standing timber; the Owen bill taxing vendors and manufacturers of soft drinks.

A motion to hold an afternoon session was voted down.

Twelve first reading bills were advanced.

On motion of Senator Lassiter, adjournment was ordered at 2 o'clock.

## HOUSE

Mr. Williams, of Giles, when the House met yesterday, offered a resolution instructing that the Commissioner of Agriculture make a report by the next morning giving the list of the employees of his department and the amount of funds on hand. It was agreed to. Mr. Williams remarked that the bill which is before the House seeks to increase the salary of many of these employees.

Mr. Tallaferra offered a resolution, which was also agreed to, appointing Messrs. William Bullitt Fitzhugh and J. M. Hargrave a committee to investigate cold storage and the keeping of food supplies, and to report at the next meeting of the General Assembly. The committee is to serve without compensation.

It was stated in this connection that the Hargrave-Myers pure food bill would be discussed.

The State's Money.

The eternal problem of State depositaries came up again on the Finance Committee's substitute for the Senate bill. Mr. Yarrell offered some amendments designed not to make the new plan apply to banks which had already been designated as depositaries. Banks which desire to get State deposits can either deposit bonds of the State or give other security.

Mr. Wingo frequently interrupted, and at last got Judge Yarrell to read the bill which had been written by State Treasurer Harman, showing that the banks would not make any money under the Lassiter plan.

Mr. Bowman, of Roanoke, said he did not care whether the banks made money or not. He favored the committee substitute because it made the new plan apply to banks which had already been designated as depositaries. The Legislature to look after the financial success of the banks. He had, he said, always opposed scattering the State money among so many institutions.

Mr. Oliver offered amendments so that the banks might, in the place of depositing funds, file an approved bond for \$100,000.

Equalize Situation.

A substitute for the whole was offered by Mr. Cox. It was designed to cut out all the banks named and to provide that any bank might be

come a State depositary by giving security, as at present, in the sum of \$500,000, or by depositing State bonds with the Auditor. Thus, he said, all banks would be dealt with equally.

A motion was made by Mr. Williams, of Giles, to refer the whole matter to the Committee on Finance.

Mr. West, of Nansemond, said that the House has wasted two or three days in squabbling over what banks shall be depositaries. He favored the Cox substitute.

Mr. Bowman, of Roanoke, did not want the bill to be referred, since the Finance Committee had already considered it.

Mr. Love wanted it referred to somebody so that he could understand the matter.

A motion to dismiss the bill and all the amendments as made by Mr. Clement. He thought the State has already all the legislation necessary on the subject.

Could Borrow Bonds.

Recommendation, said Mr. Pitts, would mean nothing. He wanted to fight it out now. He favored the committee substitute, with perhaps a change to allow deposits to the amount of 99 per cent of the par value of the bonds.

He argued that the banks would not be compelled to buy the bonds, but could pay for their use.

Then followed a string of parliamentary dodges. The motion to commit the bill was lost. The motion to dismiss was carried—37 to 43. However, on a recorded vote the House reversed itself, by a vote of 33 to 59.

Numerous amendments followed. Mr. Deal got two Norfolk banks added.

Mr. Toney got two in Manchester put on; Mr. Parker did the same thing for one in Portsmouth; Mr. Moncreu for three in Alexandria; Mr. Houston for one at Poquosin, and Mr. Yarrell for one at Emporia. By this time the members who wanted the committee substitute had decided to allow all the banks to be added, so that the Senate might all out of ratifying and amend it all the Yarrell amendments to the substitute were adopted, as were those of Mr. Oliver. The Cox substitute was lost—26 to 43.

The vote then returned on the passage of the bill as amended, and it was carried by 47 to 33. A motion was made to reconsider, and another motion was carried by 46 to 39, but on recorded vote the House again reversed itself, defeating the motion to pass by 24 to 53. The House then refused to reconsider.

The House agreed to the Senate amendments to the Gettysburg monument bill.

A bill regarding the annexation of territory in Norfolk county was called up by Mr. Deal, amended and passed by its engrossment.

Stock Food Bill.

The Owen bill, which has passed the Senate, and which is designed to regulate the sale of stock foods, came up with amendments proposed by the House Committee on Agriculture and Mining.

Mr. Lee offered an amendment to the Senate bill requiring that it should apply except to by-products of wheat and corn when made by the person growing them or his agent.

Mr. Good offered an amendment reducing the registration fee to outside millers from \$30 to \$20.

Mr. Lee, speaking to the amendments offered by the committee, vigorously opposed them. This was supposed, he said, to be a bill for the protection of the public.

It had passed the Senate. Before the House committee there appeared some millers, and the committee amendments were doubtless added at their request. These amendments were regarded as unconstitutional and extremely injurious to the work of the Department of Agriculture. The tax was made not to include the makers of the pure by-products of wheat and corn, such as bran and middlings. Now the millers, said Mr. Lee, do not pay the tax at all, since all levies of this kind fall on the consumer in the last analysis.

He felt sure that the amendments had been hurriedly prepared and agreed to without inquiring as to their practicality or as to whether such plans had worked successfully in other States. They had many defects, he said. No provision had been made as to who could collect the tax, nor as to when it should be gone. The whole proposition as contained in the committee amendments had been ill-conceived.

Mr. Lee had not concluded his remarks when the hour of 2 o'clock arrived, and the chair was vacated until 4.

Might Be Unconstitutional.

Resuming his argument after the recess, Mr. Lee said that the registration fee could not be regarded as a revenue matter; if so, it would be unconstitutional so far as interstate business is concerned. A registration fee would be worked, he thought, if the tonnage tax of 15 cents were eliminated.

Referring to the other committee amendments, Mr. Lee argued that there was no occasion to have the fees paid to the Department of Agriculture instead of into the Treasury of the State. As to having the accounts of the Dairy and Food Department audited by the Agricultural Department before they are paid, this would be hurtful, since it might cause a delay of months. Furthermore, he did not think it ought to be necessary for a commissioner to consult with the head of the Department of Agriculture before taking any official action. The amendment offered by him exempting products made by the grower or his agent he said was a concession.

Millers Objected.

Mr. Bowman, of Roanoke, said that the tonnage tax had proved objectionable, especially to millers. The committee had tried to meet the objections while amending this bill. He thought it had done so without incurring the efficiency of the department.

The millers argued that the bill as amended, which does not undertake to do away with inspection.

He did not believe the bill would reduce the revenues to a point which would cripple the department, which has been earning more money than it has been necessary to expend. As to the auditing of accounts, it was not contemplated to require more than the Dairy and Food Commissioner than is required of the Commissioner of Agriculture, whose accounts are audited by the State Board.

Chairman Tallaferra, for the Committee on Agriculture and Mining, said that the committee had come from all parts of the State for relief from the burden of the tonnage tax. Every interest had been carefully and closely protected in the bill. The shoe pinches, he said, because the affairs were put under the Department of Agriculture.

Mr. Kemper said the tax was objectionable not only to the millers, but to the farmers, in whose behalf he asked the passage of the bill with the amendments.

The committee amendments were all agreed to, while those of Mr. Lee were defeated. The bill was passed by a vote of 86 to 3.

Speaker Byrd (Mr. Lion in the chair) moved to set the hearing on the proposed Federal income tax for Monday.

He called for a vote. The members were willing to agree that a final vote be taken at 11 o'clock that night. At the suggestion of Mr. Stubbs, Mr. Byrd agreed that an hour and a half be given to each side, and that those de-

## DEEP-SEALED COUGH

CURED IN 5 HOURS.  
New Home-Made Syrup.  
(Cut this out.)

From Boston Press.

Progress in medicinal compounds never came so fast, and now it is stated by a prominent medical man that any deep-seated cough or cold on the lungs can be actually cured in five hours by the clock. Opium and morphine have been resorted to in the past, as a relief measure. But now it is learned that the system must be cleared of all inflammation and congestion. A tonic laxative cough syrup does the work so quickly and thoroughly as to be almost magical. What heretofore has taken weeks to cure can be accomplished in hours. Get this formula filled or mix it at home and always keep it on hand.

One-half ounce fluid wild cherry bark, one ounce compound essence cardiol and three ounces syrup white pine compound. Shake the bottle and take twenty drops every half-hour for four hours. Then take one-half to one teaspoonful three or four times a day until the system is purged and clean. Give children less according to age. One filling will usually cure a whole family, as the dose is small.

slings to speak should make arrangements as to division of time with Mr. Byrd against the proposition and with Judge Martin Williams for it. The motion was carried.

Mr. Houston secured the calling up out of its order of the bill creating a new judicial circuit out of the counties of Accomac and Northampton. The constitutional readings were dispensed with.

Opposes New Circuits.

Mr. Pitts said he was forced by his judgment to oppose the continual establishment of new circuits. The Legislature had been very much criticized for doing this. If this thing were kept up the State would soon have as many circuit courts as it formerly had county courts.

While agreeing with Mr. Pitts, Mr. Page thought there should be no hard and fast rule in this matter. The docket of the Eastern Shore counties was crowded, and the judge lives across the bay, far removed from his people.

Mr. White said he came to the Legislature with the avowed purpose of voting against the creation of new circuits. But because the General Assembly had done wrong in this respect in the past was no reason why it should not do justice to the people of the Eastern Shore.

On general principle, said Mr. Row, he opposed new circuits. But if ever one was needed this is the case. It was frequently a great inconvenience to find the judge when business was to be transacted.

Mr. Fitzhugh said his people are not asking for the new circuit so as to establish a friend in office. The change is needed because of the congestion in business.

Will Rearrange.

Mr. Johnson, of Russell, said the Constitutional Convention and the Democratic party had promised to reduce court expenses. He thought the other circuits could have been so rearranged that the Eastern Shore could have a judge without creating an additional circuit. He instanced the court of Judge Frank R. Hutton, in the Southwest, whose presiding officer he complimented. There has been, he said, no indictment of consequence in Smyth county for a year, and the county jail was empty for six months.

The judge moved to the Eastern Shore about three days and holds court in Washington, the only other county in the circuit. Court in the latter county lasts perhaps three weeks. He would vote against the bill not because he did not want to give the Eastern Shore a judge, but because he did not want to make new ones.

Mr. Evans referred to the big Democratic majorities given in Accomac and Northampton because he is so crowded with work, the judge sometimes has to leave when cases and attorneys are ready for trial.

The bill was passed—69 to 13.

Mr. Evans moved to reconsider the vote by which, at the morning session, Messrs. Fitzhugh and Myers had been appointed a committee on cold storage. A motion was made to pass this motion by, and was agreed to.

The retired teachers' pension bill was put upon its passage without debate and passed by a vote of 67 to 13. It was in the Senate and now goes to the Governor.

The House adjourned at 5:40 o'clock.

Here and There  
in the Legislature

After another conference, the joint subcommittee of the Senate and House Committees on Roads and Internal Navigation reported last night that no settlement had been reached in the Richmond, Fredericksburg and Potomac railroad case.

The subcommittee will meet again this morning at 9:15 o'clock in the office of the Lieutenant-Governor.

Mr. Braxton, of counsel for the railroad, presented a bill of considerable length, drawn by him and his associate, J. P. East, of the legislative committee which join the merger bill now pending, told the subcommittee that he did not approve of the Braxton bill, but stood squarely on the original measure. He was unwilling to yield a point, except a few minor amendments.

Attorney-General Williams was present and made some suggestions as to the legal phases of the situation. The possibility of a bill which would be satisfactory to all parties and which would at the same time safeguard the interests of the Commonwealth was debated.

A member of the subcommittee said after the meeting, which was executive, that he thought a final decision of some sort would be reached this morning before the beginning of the session of the legislative bodies.

There is a deal of misapprehension, said Speaker Byrd yesterday, about the proposed oil tax. It will produce at the most not more than \$60,000 a year.

"It is in no sense," continued the Speaker, "an experiment. Many States have similar laws, notably the States of North Carolina, Georgia, Tennessee, Wisconsin and Ohio. The experience of these States has been that the price of oil has not been increased because of the tax, and that a better class of product is furnished."

"The proposed oil inspection law is modeled upon that of North Carolina, which is in successful operation."

No opposition was made to the employers' liability bill when it was discussed yesterday morning in the meeting of the House Committee for Courts of Equity.

The bill, which is designed to make the Virginia law in this respect identical with the recent Federal statute.

Street railways were exempted from its provisions. Mention was made of exempting lumber roads, but it was de-

clared that this point was already fully covered by the term "common carriers," so no change in this respect was made. The bill was reported to the House.

It is expected that members of the Travelers' Protective Association, the United Commercial Travelers of America, the Virginia Travelers' Association will gather this afternoon to hear the discussion of the Yarrell bill regarding the use of interchangeable mileage. The bill will be heard at 4 o'clock by the Senate Committee on Roads and Internal Navigation. The traveling men are said to be a unit for the bill, which requires conductors to accept coupons, instead of making the traveler exchange them for tickets at the stations.

The House Committee on Finance took a favorable report to the Owen bill, classifying industrial sick benefit associations. This classification was sought, so that these companies might not be taxed at so high a rate as the old line insurance and fraternal orders. The benefit companies issue small policies on weekly premiums and provide weekly indemnity for sickness or accident. They protect a certain class of people who are unable to get better protection.

Senator Sale's bills in regard to mercantile transactions, introduced at the request of the Small Merchants' Association, will probably be given place on the Senate calendar as special orders at an early date.

It is estimated that Senator Elam's bill assessing standing timber in conformity with the rule laid down in a recent decision of the Court of Appeals will bring in a decided increase in revenue from that source. The bill passed the Senate yesterday, and stands an excellent chance of getting early consideration in the House. Entirely too little has been received from timber taxation in the past. It is claimed, and this bill will do much to right things in that direction.

An important measure which passed the Senate yesterday was the Owen bill, taxing the sale and manufacture of soft drinks. Those familiar with the subject-matter of the measure say that the added revenue to the State treasury through the medium of this bill will be about \$35,000.

No further effort will be made to secure the passage of the bill transferring a portion of Princess Anne county to Norfolk county. In both houses the fight has been withdrawn and the bill is dead.

Mr. Deal yesterday secured consideration of his amendment to the law regulating the annexation of certain territory in Norfolk county to the city of Norfolk. There has been much discussion over this bill, but Mr. Deal explained that he had an amendment which would make it satisfactory. Some of the improvements concerned have already been made. The bill was amended and engrossed.

Although it appeared a few days ago that the bill regulating the shoot-

ing of wild waterfowl in Back Bay, in Princess Anne county, would not be taken up, it now appears that an effort will be made to secure a favorable report. It was introduced by Mr. Cooke, by request. The Committee on the Chesapeake and Its Tributaries will take up the matter this afternoon, if desired. Mr. Baum, the member from Princess Anne, is fighting the bill.

"Fake" Confederate soldiers were the subject of wrathful invective by Senator Parks yesterday. In the course of debate as to whether certain amendments should be made on the Sale bill to allow the rosters of camps of Confederate veterans to be recorded in the clerks' offices. The Senator himself wore the sword of a captain in the army of the Confederacy, and the splendid bearing which now marks him as a veteran of their holding, greatly less gained in that time.

"There are many on the pension rolls to-day," said he, "many who never went near the firing line nor smelled powder. I know of a camp of Confederate veterans of which three members were deserters from the Confederate Army. I want the pension list to be a roll of honor. I know some men who are parading their valor as Confederate soldiers who went to Hanger's Rock with the militia, and when they saw the enemy, they ran all the way back home, but that is all the service they ever saw."

No single utterance on the floor of the Senate this session has received more widespread notice than that of Senator Early: "I am a Democrat, and not a prohibitionist. I prefer to follow the lead of the immortal Jefferson rather than that of the Anti-Saloon League." Letters of approbation of this sentiment have been received by the outspoken statesman representing Jefferson's county from people in many sections of the State.

WILL MEET AT OLD POINT.  
[Special to the Times-Dispatch.]  
Lynchburg, Va., March 3.—Announcement is made here to-day by N. P. Gatliff, secretary of the Virginia Bankers' Association, that the next annual convention of the association will be held at the Hotel Chamberlin, at Old Point Comfort, on June 9, 10 and 11.

Old Point has been chosen again for the convention place because the attendance is always better there and because the visiting bankers give more attention to the affairs of the association.

Secretary Gatliff expects to have several prominent bankers outside of the State on the program.

BANK FOR SALUDA.  
[Special to the Times-Dispatch.]  
Saluda, Va., March 3.—The question of a bank in the town of Saluda, Middlesex county, came up at the appearance of J. W. Penn, of Roanoke, in the interest of capitalists in that city, and L. E. Mumford, president of a system of banks in Tidewater, came down from the Senate chamber and, at a meeting of citizens, the Mumford proposition to establish a branch bank was accepted, a building committee appointed and the bank assured in the near future.

YOUNG MAN COMMITS SUICIDE.  
[Special to the Times-Dispatch.]  
Norfolk, Va., March 3.—John A. Creech, aged twenty years, committed suicide last night in a vacant lot near his home at 1047 North Street, by sending a bullet through his left breast. He used a 38-caliber revolver.

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